

REMARKS

Applicant submits this response to the Office Action mailed December 19, 2007.

Applicant appreciates the Examiner's thorough review of the application, and the Examiner's participation in the telephone interview of August 27, 2008.

The Office Action rejects Claim 21 under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claim 21 has been amended to address this rejection. Applicant respectfully submits that the rejection of Claim 21 under 35 USC § 112, second paragraph is overcome.

The Office Action rejects Claims 1-4, 10-11, 14, 20 and 22 under 35 USC § 103(a) as being unpatentable over European Patent No. 903,288 to Ikuo et al. in view of Canadian Patent No. 1,049,856 to Meindl. Claims 5, 6, 8, 9, 12, 13, 15-19, and 22 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. (Applicant notes that Claim 22 is conflictingly indicated as rejected and objected to in different sections of the Office Action.)

Claim 1 has been interpreted in the Office Action as requiring the ability to use wind energy plus any one of solar, wave, or water current energy. As discussed during the telephone interview with the Examiner, Applicant respectfully states the Claim 1 should be read as requiring the ability to use three energy sources, specifically (i) solar energy, (ii) wave or water current energy, and (iii) wind energy. Applicant has made a minor amendment to Claim 1 to more clearly indicate the correct reading of Claim 1.

None of the cited references disclose, teach or suggest a propulsion system adapted to use wave or water current energy, and particularly wave or water current energy in combination with solar and wind energy. As Claim 1 recites that a vehicle adapted to use solar, wind, and wave or water current energy, Claim 1 is patentably distinct from the cited references. Since Claims 2-4, 10-11, 14, 20 and 22 depend from independent Claim 1, these dependent claims are also patentably distinct from the cited references for at least the reason described above. Thus, it is respectfully submitted that the rejection of Claim 1-4, 10-11, 14, 20 and 22 is overcome.

CONCLUSION

In view of the foregoing remarks, Applicant respectfully submits that all of the claims of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. The Examiner is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 50-2127.

Respectfully submitted,



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